BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter Of:

MILES SHANE LARTCH 360 Salina Court Vista, CA 92083

Registered Nurse License No. 410775

Respondent

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **December 14, 2012.**

IT IS SO ORDERED December 14, 2012.

Raymond Mallel, President

Board of Registered Nursing

Department of Consumer Affairs

State of California

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9	BEFORE THE BOARD OF REGISTERED NURSING
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
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12	In the Matter Of: Case No.
13	MILES SHANE LARTCH 360 Salina court LICENSE AND ORDER PURSUANT TO
14	Vista, CA 92083 BUS. AND PROF. CODE SECTION 2751
15	Registered Nurse License No. 410775
16	Respondent.
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18	proceeding that the following matters are true:
19	PARTIES
20	1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
21	Registered Nursing and is represented in this matter by Kamala D. Harris, Attorney General of
22.	the State of California, by Antoinette Cincotta, Deputy Attorney General.
23	2. Miles Shane Lartch (Respondent) is representing himself in this proceeding, and has
24	chosen not to exercise his right to be represented by counsel.
25	3. On or about March 31, 1987, the Board of Registered Nursing issued Registered
26	Nurse License No. 410775 to Miles Shane Lartch (Respondent). The Registered Nurse License
27	will expire on June 30, 2014, unless renewed.
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JURISDICTION

4. Pursuant to Business and Professions Code section 2751, the Board in its discretion, may accept the surrender of a license through a stipulated settlement in the absence of a pleading when the ability of a registered nurse to practice nursing safely is impaired due to mental or physical illness.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent's ability to practice as a Registered Nurse is currently impaired due to an unstable bipolar disorder and depression.
- 9. Respondent hereby surrenders his Registered Nurse License No. 410775 for the Board's formal acceptance pursuant to Business and Professions Code section 2751.
- 10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Registered Nurse License without further process.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Registered Nursing.

Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and

surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

- 12. The parties understand and agree that facsimile and/or electronic copies of this Stipulated Surrender of License and Order, including facsimile and/or electronic signatures thereto, shall have the same force and effect as the originals.
- 13. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.
- 14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 410775 issued to Respondent Miles Shane Lartch is surrendered and accepted by the Board of Registered Nursing.

- 1. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. The license surrender shall be public information, and this stipulation constitutes a record of the discipline, and shall become a part of Respondent's license history with the Board of Registered Nursing.
- 2. Respondent shall lose all rights and privileges as a Registered Nurse in California as of the effective date of the Board's Decision and Order.

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- 3. Respondent shall cause to be delivered to the Board his Registered Nurse pocket licenses and, if one was issued, his wall certificates on or before the effective date of the Decision and Order.
- 4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed.
- 5. Any reinstatement proceeding shall be conducted pursuant to Business and Professions Code section 2760.1.
- 6. Respondent may petition the Board for reinstatement after a period of not less than one (1) year after the effective date of the Board of Registered Nursing's Decision and Order.
- 7. Upon seeking reinstatement, it is the responsibility of Respondent to submit competent evidence of the ability to safely and competently practice as a registered nurse.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License and Public Health Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 2/ SEP/Z

MILES SHANE LARTCH

Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Respectfully submitted,

KAMALA D. HARRIS Attorney General of California LINDA K. SCHNEIDER

Supervising Deputy Aftorney General

ANTOINETTE CINCOTTA

Deputy Attorney General Attorneys for Complainant